

Applicants : Niall R. Lynam et al.
Serial No. : 09/835,661
Page : 8

REMARKS

Applicants acknowledge the Examiner's review of the specification, claims, and drawings and indication of allowable subject matter. In light of the above amendments and following remarks, Applicants respectfully request reconsideration of the present application. The amendments and remarks presented herein are fully supported by the application as originally filed. No new matter has been entered.

STATUS OF THE CLAIMS:

Claims 54-66 and 74-90 are pending in the present application. Claims 1-53 and 67-73 were previously cancelled. Claims 83 and 84 are allowed. The remaining claims stand rejected.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103:

The Examiner rejects Claims 54-82 and 85-90 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,566,224 to ul Azam et al. in view of U.S. Patent No. 4,760,394 to Takeuchi et al. Applicants respectfully traverse.

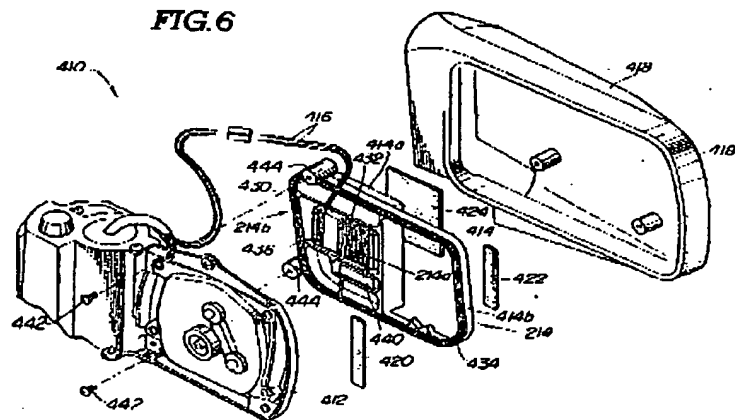
Notwithstanding, Applicants have amended Claims 54, 60, 65, 74, and 86 to more clearly define Applicants' invention. For example, Claim 54 has been amended to call for:

A cellular phone system comprising:
a mirror assembly including a mirror case and a reflective element housed in said case, said case being substantially electrically non-conducting; and
a cellular phone system receiver including a transmitting and receiving antenna, said antenna having a weight, said cellular phone system receiver adapted to receive signals and transmit signals with said antenna, said antenna being positioned within said mirror case and supported within the mirror assembly by a mirror case structure in a manner such that said weight of said antenna is not directly carried by said reflective element and does not directly impact the vibration performance of said reflective element.

Applicants : Niall R. Lynam et al.
Serial No. : 09/835,661
Page : 9

Applicants respectfully urge that none of ul Azam et al. or Takeuchi et al. discloses or suggests the claimed combination. For example, none of ul Azam et al. or Takeuchi et al. discloses or suggests an antenna being positioned with a mirror case and supported within the mirror assembly by a mirror case structure in a manner such that the weight of the antenna is not directly carried by the reflective element and does not directly impact the vibration performance of the reflective element. The Examiner admits that ul Azam et al. fail to teach the inherent weight of the antenna being distributed to the wall of the mirror case and not supported by the reflective element assembly to thereby reduce the vibration of the reflective element. However, the Examiner argues that Takeuchi teaches the inherent weight of an antenna being distributed to the wall of a mirror case and not to the supportive reflective element assembly to thereby reduce vibration of the reflective element. Applicants respectfully note that Takeuchi mounts its antenna (214), which is formed by loop antennas (214a), directly to the mirror base (412) that supports the mirror. As clearly indicated in Takeuchi and illustrated in FIG. 6, which is reproduced herein, the inherent weight of the Takeuchi antenna 214 is not supported by mirror housing 418. Therefore, Takeuchi does not disclose an antenna being supported by a mirror case structure.

FIG. 6



Applicants : Niall R. Lynam et al.
Serial No. : 09/835,661
Page : 10

Applicants respectfully urge that Takcuchi does not teach or suggest the claimed combination and, instead, teaches away from the claimed combination. Applicants therefore respectfully submit that Claim 54 and its dependent claims are patentably distinguishable over ul Azam et al. in view of Takeuchi et al. or any other reference of record.

Claim 60 has been amended to call for:

A cellular phone system comprising:
an exterior mirror assembly including a case;
a reflective element support in said case; and
a cellular phone system receiver including a transmitting and receiving antenna and electrical leads coupled to said antenna, said antenna having a weight, said cellular phone system receiver adapted to receive signals with said transmitting and receiving antenna and to convert said signal into audio signals, said receiving antenna positioned within said case and being mounted to a mirror case structure of said mirror case independent of said reflective element wherein said weight of said antenna is carried by said mirror case structure and not directly carried by said reflective element and does not directly impact the vibration performance of said reflective element.

With respect to Claim 60, Applicants respectfully urge that none of ul Azam et al. or Takeuchi et al. discloses or suggests the claimed combination. For example, none of ul Azam et al. or Takeuchi et al. discloses or suggests an antenna being mounted to a mirror structure of a mirror case independent of a reflective element wherein the weight of the antenna is not directly carried by the reflective element and does not directly impact the vibration performance of the reflective element. Therefore, Applicants respectfully urge that Claim 60 is patentably distinguishable over ul Azam in view of Takcuchi for at least the reasons set forth above in reference to Claim 54.

Claim 65 has been amended to call for:

A cellular phone system comprising:
an exterior mirror assembly including a case;
a reflective element support in said case; and

Applicants : Niall R. Lynam et al.
Serial No. : 09/835,661
Page : 11

a cellular phone system receiver including a transmitting and receiving antenna and electrical leads coupled to said antenna, said cellular phone system receiver adapted to receive signals with said transmitting and receiving antenna and to convert said signal into audio signals, said receiving antenna positioned within said case, wherein said case includes a first case wall and a second case wall, said first case wall including an opening formed therein, said second case wall overlaying said first case wall and defining an outer surface of said case, said antenna supported on said second case wall and extending into said opening of said first case wall wherein said antenna is supported within said case in a manner such that said weight of said antenna is not directly carried by said reflective element and does not directly impact the vibration performance of said reflective element.

With respect to Claim 65, Applicants respectfully urge that none of ul Azam et al. or Takeuchi et al. discloses or suggests, for example, an exterior rearview mirror assembly with a reflective element and a mirror case including a first case wall and a second case wall, with the first case wall including an opening formed therein and, the second case wall overlaying the first case wall and defining an outer surface of the case in combination with an antenna supported on the second case wall and extended into the opening of the first case wall wherein the antenna is supported within the case in a manner such that said weight of the antenna is not directly carried by the reflective element and does not directly impact the vibration performance of the reflective element. Therefore, Applicants respectfully urge that Claim 65 is patentably distinguishable over ul Azam in view of Takeuchi et al. or in view of any other reference of record.

Claim 74 has been amended to call for:

A cellular phone system comprising:
a mirror assembly including a mirror case, a reflective element, and an actuator supporting said reflective element, said mirror case including a case wall defining a cavity, said actuator supporting said reflective element in said cavity formed by said case wall, said actuator permitting adjustment of an orientation of said reflective element in said case, said actuator and said reflective element defining an actuator supported reflective element assembly; and

Applicants : Niall R. Lynam et al.
Serial No. : 09/835,661
Page : 12

a cellular phone system receiver including an antenna, said cellular phone system receiver adapted to receive signals and transmit signals with said antenna, said antenna supported by said case wall of said mirror case, said antenna having an inherent weight, said inherent weight of said antenna being distributed to said wall of said mirror case and not to said actuator supported reflective element assembly to thereby reduce vibration of said reflective element.

With respect to Claim 74, Applicants respectfully urge that none of ul Azam or Takeuchi et al. discloses or suggests the claimed combination. For example, none of ul Azam et al. or Takeuchi et al. discloses or suggests an antenna being supported by a mirror case wall of a mirror case wherein the inherent weight of the antenna is distributed to the case wall and not distributed to an actuator supported reflective element assembly to thereby reduce vibration of the reflective element. In contrast, Applicants respectfully urge that ul Azam et al. and Takeuchi et al. teach away from the claimed combination. Therefore, Applicants respectfully urge that Claim 74 and its dependent claims are patentably distinguishable over ul Azam in view of Takeuchi et al. or any other reference of record.

Claim 86 has been amended to call for:

A cellular phone system comprising:
a mirror assembly including a mirror case, a reflective element, and an actuator, said mirror case including a cavity, said actuator supporting said reflective element in said cavity, said actuator permitting adjustment of an orientation of said reflective element in said case, and said actuator and said reflective element defining an actuator supported reflective element assembly; and

a cellular phone system receiver including an antenna, said cellular phone system receiver adapted to receive signals and transmit signals with said antenna, said antenna having an inherent weight and being supported in said cavity by a mirror case structure independent and spaced from said actuator supported reflective element assembly, said weight of said antenna being distributed to said mirror case by said mirror case structure and not to said actuator supported reflective element assembly to thereby reduce vibration of said reflective element.

Applicants : Niall R. Lynam et al.
Serial No. : 09/835,661
Page : 13

With respect to Claim 86, Applicants respectfully urge that none of ul Azam et al. or Takeuchi et al. discloses or suggests a cellular phone system that includes a mirror case and a cellular phone receiver with an antenna that is supported in a cavity of the mirror case by a mirror case structure independent and spaced from an actuator supported reflective element assembly wherein the weight of the antenna is distributed to the mirror case by the mirror case structure and not to the actuator supported reflective element assembly.

Accordingly, Applicants respectfully urge that Claim 86 is patentably distinguishable over ul Azam in view of Takeuchi et al. or any other reference of record.

In light of the above amendments and remarks, Applicants respectfully request reconsideration of the present application and a Notice of Allowance of all claims, namely Claims 54-66 and 74-90.

Should the Examiner have any questions or suggestions, he is invited to contact the undersigned at (616) 975-5506 or at collins@vglb.com.

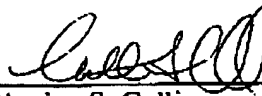
Respectfully submitted,

By: Van Dyke, Gardner, Linn & Burkhardt, LLP

NIALL R. LYNAM ET AL.

Date

July 8, 2005


Catherine S. Collins

Registration No. 37 599

2851 Charlevoix Drive, S.E., Suite 207

P.O. Box 888695

Grand Rapids, MI 49588-8695

(616) 975-5500

CSC:lmisc